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Electronically Filed on October 3, 2011

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:)	Case No. BK-S-09-14814-LBR
)	
THE RHODES COMPANIES, LLC,)	(Jointly Administered)
et al.,)	
)	Chapter 11
Reorganized Debtors.)	
_____)	
Affects All Debtors)	
_____)	

OBJECTIONS TO SUBPOENA FOR RULE 2004 EXAMINATION SERVED ON THE
LAW FIRM OF SANTORO, DRIGGS, WALCH, KEARNEY, HOLLEY & THOMPSON

Pursuant to Fed.R.Civ.P. Rule 45 (c)(2)(B), made applicable to these proceedings pursuant to Fed.R.Bankr.P. Rule 906, and further pursuant to the September 15, 2011 Notice re Subpoena [Dkt. 1542] and the September 29, 2011 Second Notice re Subpoena [Dkt. 1561], the law firm of Santoro, Driggs, Walch, Kearney, Holley & Thompson ("SDW"), by and through its undersigned counsel, hereby makes its written objections to the Subpoena for Rule 2004 Examination issued by counsel for the Litigation Trust of The Rhodes Companies, LLC, et al., dated August 31, 2011 ("Subpoena") as follows.

OBJECTIONS TO SUBPOENA

1
2 1. SDW objects to the Subpoena, including but not limited to the "Definitions" set
3 out in Exhibit B to the Subpoena at paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 and the
4 "Instructions" set out in the Subpoena, to the extent the Subpoena attempts to impose obligations
5 or burdens greater than or different from those set out by the Federal Rules of Civil Procedure, the
6 Federal Rules of Bankruptcy Procedure, the Local Rules of this United States Bankruptcy Court or
7 other applicable law.
8

9 2. SDW objects to the Subpoena as overly broad, vague, ambiguous, burdensome
10 and oppressive, including but not limited to by reason of the "Definitions" set out in Exhibit B to
11 the Subpoena at paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 and by reason of the "Instructions"
12 set out in the Subpoena.
13

14 3. SDW objects to the Subpoena to the extent it seeks information protected by the
15 attorney-client privilege.
16

17 4. SDW objects to the Subpoena to the extent it seeks information protected by the
18 attorney work product doctrine.
19

20 5. SDW objects to the Subpoena to the extent it seeks information that is
21 confidential in nature, including but not limited to financial information protected by the Right to
22 Financial Privacy Act.
23

24 6. SDW objects to the Subpoena to the extent it seeks information or documents
25 containing personal, private or confidential information, privileged attorney-client information or
26 privileged attorney work product information regarding SDW's clients, former clients, attorneys
27 and employees, including but not limited to the documents requested in Category 18 of the
28 Subpoena calling for "all personnel files, including any and all performance reviews for Your
attorneys who performed any services or work for any of the Entities, Debtors, and/or
Individuals," and including but not limited to the documents requested in Category 19 of the

1 Subpoena calling for "all calendars, diaries, notes and desk files of Your attorneys who performed
2 any services or work for any of the Entities, Debtors, and/or Individuals."

3 **FURTHER RESPONSE TO SUBPOENA**

4 Without waiver of the foregoing Objections, SDW further responds to the Subpoena as
5 follows.

6 Counsel for SDW and counsel for the Litigation Trust of The Rhodes Companies, LLC,
7 et al. have discussed by telephone limiting the scope of the Subpoena to a preliminary production
8 of certain redacted billing statements for the period January 2005 to March 2009. Counsel have
9 agreed to hold further discussions on limiting the scope of the Subpoena by telephone on October
10 7, 2011.
11

12 DATED: October 3, 2011
13

14 */s/ Gregory F. Wilson*

15 _____
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